

By: Perez

H.B. No. 1083

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing a regulatory authority to establish reduced  
3 water utility rates funded by donations for the benefit of elderly  
4 customers.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 13.182, Water Code, is amended by  
7 amending Subsection (b) and adding Subsection (b-1) to read as  
8 follows:

9 (b) Except as provided by Subsection (b-1), rates may [~~Rates~~  
10 ~~shall~~] not be unreasonably preferential, prejudicial, or  
11 discriminatory but shall be sufficient, equitable, and consistent  
12 in application to each class of consumers.

13 (b-1) In establishing a utility's rates, the regulatory  
14 authority may authorize the utility to establish reduced rates for  
15 a minimal level of service to be provided solely to a class of  
16 elderly customers to ensure that those customers receive that level  
17 of service at more affordable rates. The regulatory authority  
18 shall allow a utility to establish a fund to receive donations to  
19 recover the costs of providing the reduced rates. A utility may not  
20 recover those costs through charges to the utility's other customer  
21 classes.

22 SECTION 2. Section 13.189, Water Code, is amended by adding  
23 Subsection (c) to read as follows:

24 (c) For purposes of this section, a reduced rate authorized

1 under Section 13.182(b-1) does not:

2 (1) make or grant an unreasonable preference or  
3 advantage to any corporation or person;

4 (2) subject a corporation or person to an unreasonable  
5 prejudice or disadvantage; or

6 (3) constitute an unreasonable difference as to rates  
7 of service between classes of service.

8 SECTION 3. (a) The changes in law made by this Act apply  
9 only to proceedings before a regulatory authority regarding water  
10 utility rates concerning an application filed on or after January  
11 1, 2018. Proceedings before a regulatory authority regarding water  
12 utility rates concerning an application filed before January 1,  
13 2018, are governed by the law in effect when the application was  
14 filed, and the former law is continued in effect for that purpose.

15 (b) The Public Utility Commission of Texas and other  
16 regulatory authorities shall adopt rules as necessary to implement  
17 the changes in law made by this Act not later than December 31,  
18 2017.

19 SECTION 4. This Act takes effect September 1, 2017.